

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10

11
12 CONNIE S. LORD,

Civil No. 2:08-CV-1596-CRD

13 Plaintiff,

14 vs.

ORDER FOR REMAND


15
16 MICHAEL J. ASTRUE,
Commissioner of Social Security,
17 Defendant

18
19 Based on the stipulation of the parties it is hereby ORDERED that the above-captioned
20 case be remanded for further administrative proceedings. On remand, the Administrative Law
21 Judge (ALJ) will hold a de novo hearing. The ALJ will further consider the medical source
22 opinions, including the opinions of Linda Ford, M.D., and Michael Koerner, M.D., pursuant to
23 the provisions of 20 C.F.R. § 404.1527 and Social Security Rulings (SSRs) 96-2p and 96-5p and
24 explain the weight given to such opinion evidence. With respect to Dr. Koerner, the ALJ's
25 reasons for rejecting his July 30, 2007, declaration were flawed. The ALJ will also further
26

1 evaluate Plaintiff's mental impairments in accordance with the special technique described in
2 20 C.F.R. § 404.1520a; further consider the effect of obesity on Plaintiff's other impairments and
3 her ability to perform work-related activities pursuant to SSR 02-01p; reevaluate Plaintiff's
4 credibility pursuant to SSR 96-7p; and, if necessary, obtain supplemental evidence from a
5 vocational expert. Before relying on that evidence, the ALJ will identify and resolve any conflicts
6 or discrepancy between the vocational expert's testimony and information in the Dictionary of
7 Occupational Titles (DOT) (SSR 00-4p). Plaintiff may submit additional evidence and arguments
8 to the ALJ on remand. The ALJ will issue a de novo decision and those other aspects of the
9 ALJ's prior decision not specifically addressed here are not affirmed.
10
11

12 This case is reversed and remanded on the above grounds pursuant to sentence four of
13 42 U.S.C. § 405(g). Plaintiff is entitled to reasonable attorney's fees, expenses and costs pursuant
14 to 28 U.S.C. § 2412(d), upon proper request to this Court.
15

16 DATED this 27th day of April, 2009.

17
18 
19 Carolyn R. Dimmick
United States District Judge

20 Presented by:

21 s/ Carol A. Hoch
22 CAROL A. HOCH
23 Special Assistant U.S. Attorney
24 Attorney for Defendant
701 Fifth Ave, Ste 2900, M/S 901
25 Seattle, WA 98104-7075
Phone: 206-615-2684
26 Fax: 206-615-2531
carol.a.hoch@ssa.gov